

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIMPLEAIR, INC.

Plaintiff

v.

MICROSOFT CORPORATION, ET AL.

Defendants.

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Civil Action No. 2:11-CV-416-MHS

**DEFENDANTS' NOTICE OF COMPLIANCE REGARDING LETTER BRIEF
SEEKING PERMISSION TO FILE MOTION FOR SUMMARY JUDGMENT OF
INVALIDITY BASED ON PRIOR ART BECAUSE OF LACK OF BENEFIT OF
PRIORITY TO PROVISIONAL APPLICATION**

In compliance with the Court's Standing Order regarding Letter Briefs, Defendants file this Notice of their Letter Brief to the Court seeking permission to file a motion for summary judgment of invalidity **based on prior art because of lack of benefit of priority to provision application**. A copy of the letter is attached as Exhibit 1.

DATED: August 19, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 19, 2013, a copy of the foregoing was served via email on counsel of record.

/s/ Melissa Richards Smith